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**POLITICAL REFORM DIVISION**

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FREQUENTLY ASKED QUESTIONS

(NEW ELECTRONIC FILING REQUIREMENTS)

Question: What campaign entities are subject to electronic filing requirements in connection with the 2000 primary and general elections?

Answer: Providing that the thresholds specified below are met, the following entities must comply with new electronic filing requirements: a) candidates for all 80 State Assembly district seats and their controlled committees, including committees primarily formed to support or oppose such candidates; b) candidates for all 20 odd-numbered State Senate district seats and their controlled committees, including committees primarily formed to support or oppose such candidates; c) all statewide ballot measure committees that support or oppose state measures being voted upon; d) all other state candidates and state officeholders not being voted upon but who support or oppose other candidates, measures or committees; e) all state general purpose recipient committees; f) all state major donor and state independent expenditure committees; and g) all state slate mailer organizations.

Question: What is the dollar amount or threshold that would trigger the duty to electronically file campaign statements in the year 2000?

Answer: The threshold for the March 7th primary is \$100,000 or more in total cumulative contributions or payments received; or \$100,000 or more in total cumulative expenditures or payments made. The threshold drops to \$50,000 for the general election.

Question: The \$100,000 threshold applies to the March 7, 2000 primary election and the \$50,000 threshold applies to the November 7, 2000 general election. What is the cumulative period for these campaign thresholds?

Answer: The cumulative period for the primary election begins on 1/1/99 and extends through 6/30/2000. The cumulative period for the general election begins on 1/1/2000 and extends through 12/31/2000. For major donors and independent expenditure committees, both cumulative periods begin 1/1/2000.

Question: What campaign statements and reports are required to be filed electronically?

Answer: Once the \$100,000 or \$50,000 qualifying thresholds are met in the primary or general elections, all paper or "hard copy" statements and reports required to be filed under Chapter 4, Title 9 of the Government Code must **also** be filed electronically. Electronic filing is triggered by the \$100,000 level of activity in the primary and independently by the \$50,000 level in the general election. However, once such filers meet the \$50,000 activity threshold for the general election or thereafter, they must continue to file all future disclosure reports electronically with the Secretary of State.

Question: If a filer is subject to electronic filing, are paper copies still required to be filed with the Secretary of State as well as appropriate local filing officials? Are the original and one copy still required to be filed with the Secretary of State?

Answer: Yes.

Question: If a late contribution report, a late independent expenditure report, or a late payment report is filed electronically, is it necessary to send another paper copy by fax, telegram, personal delivery or guaranteed overnight mail?

Answer: Yes. In addition to the electronic copy, a single paper copy must **also** be filed by fax, telegram, personal delivery, or guaranteed overnight mail with the Secretary of State and appropriate local filing officers.

Question: *Are all controlled committees of a candidate included or aggregated together (rather than cumulated individually) to determine whether the candidate has met the dollar threshold for cumulative receipts or expenditures that trigger electronic filing?*

Answer: Yes. All such disclosure statements are also subject to electronic filing, if the activity threshold is met by adding all cumulative receipts or all cumulative expenditures across all controlled committees.

Question: *Once a filer has met the qualifying activity threshold, would a filer ever be required to electronically file any statements or reports retroactively?*

Answer: No. But all future reports must be filed electronically through 6/30/2000, if the qualifying \$100,000 threshold was met in the primary. Additionally, if the qualifying \$50,000 threshold was met in the general election, **all** future reports must be filed electronically.

Question: *Will elected state officers, Appellate and Supreme Court justices, and members of the Board of Equalization be subject to electronic filing requirements in 2000?*

Answer: Elected state officers not being voted on in 2000 will be required to file electronically if they meet the \$100,000/\$50,000 thresholds described above at the time they are required to file any campaign report (pre-election, semi-annual, or late report) for 2000. Appellate and Supreme Court justices should contact the Fair Political Practices Commission or the Secretary of State's Office for assistance if they meet the thresholds during 2000.

Question: *If I do not meet the qualifying activity threshold, can I electronically file campaign statements with the Secretary of State on a voluntary basis at any time?*

Answer: Any state filer may voluntarily file electronic campaign statements through an approved software vendor at any time during the primary election. However, once a state filer electronically files a campaign statement on a voluntary basis with the Secretary of State in connection with the November 7, 2000 General Election, **all** future reports must be filed electronically.

Question: *What is the first filing deadline for electronic filing?*

Answer: Assuming that you have met the \$100,000 activity threshold, the first filing deadline for the March 7, 2000 Primary Election is 1/27/2000. Please refer to the attached filing schedule for a complete listing of filing deadlines.

Question: *Since county and state major donors do not file pre-election statements, what is the first electronic filing deadline for state major donors?*

Answer: The first report subject to electronic filing for a state major donor could be either a late contribution, a late independent expenditure report, or semi-annual report. For example, major donors who make a late contribution of \$1,000 or more to support or oppose a candidate or measure being voted upon during the 16 days immediately preceding the date of the primary election may be required to electronically file a 24-hr. late contribution report with the Secretary of State in addition to filing a single paper copy by fax, telegram, guaranteed overnight mail, or personal delivery with the Secretary of State and appropriate local filing officers.

State major donors who incur electronic filing duties are **also** required to file both paper and electronic copies of their semi-annual statement by 7/31/2000 with the Secretary of State. In addition, paper copies are filed with appropriate local filing officers as normally required by law.